



U.S. Department of  
Transportation

Office of the Secretary  
of Transportation

DOCUMENTARY SERVICE DIVISION  
Washington, D.C. 20590

97-8

Weekly Summary of Orders and  
Regulations

FEBRUARY 17 - FEBRUARY 21, 1997

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

97-2-5	OST-95-676 OST-95-677 OST-96-1922	APPLICATIONS OF FALCON AIR EXPRESS, INC. FOR AMENDMENT OF ITS CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR AN EXEMPTION The Department (1) confirms its oral action of December 5, 1996, authorizing Falcon Air Express, Inc. to add one additional aircraft to its fleet, and (2) defers further action on the carrier's pending application for certificate amendment. Served 2-10-97	2-10-97
Intervening number has not been issued			
97-2-7	OST-97-2099	The Department approves and grants antitrust immunity to the IATA Agreement, subject, where applicable, to conditions previously imposed which revises add-on fare levels for approximately 380 cities to be used in constructions over a total of 22 U. S. gateways to reflect changes in U.S. domestic fares. The agreement is proposed to become effective on April 1, 1997. Served 2-14-97	2-11-97
97-2-8	OST-97-2107	The Department approves and grants antitrust immunity to the IATA Agreement, subject where applicable, to conditions previously imposed which increases passenger fares, except for add-ons and related charges, from Namibia, Lesotho and Swaziland to most points throughout the world, including U.S. points, by ten percent to offset the continued depreciation of the respective national currencies. Served 2-18-97	2-11-97

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97-2-9	OST-96-1629	<p><b>TRANSATLANTIC, TRANSPACIFIC AND LATIN AMERICAN SERVICE MAIL RATES INVESTIGATION</b></p> <p>The Department proposes to establish international service mail rates for the period January 1, 1997, through June 30, 1997. All interested persons are requested to show cause why the tentative findings and conclusions contained in this order should not be adopted . Upon issuance of a final order, any difference between the rates proposed here and those established as final rates will be applied retroactively to January 1, 1997, so that the carriers are compensated fairly for their services. The rates established as final rates for the period January 1 through June 30, 1997, shall also apply as temporary rates effective July 1, 1997, until the Department issues an order establishing the final rates for the second half of 1997.</p> <p>Served 2-20-97</p> <p>Intervening numbers appeared on a previous summary.</p>	2-13-97
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97-2-14	OST-96-1003 OST-97-2042 OST-97-2047 (50100/50101) OST-96-2076 OST-96-2025 OST-96-2018 OST-96-1998 (49346) OST-96-1999 (49345) OST-96-2029 OST-95-877 (50254) OST-97-2052	<p><b>APPLICATIONS OF CARNIVAL AIR LINES, INC., CONTINENTAL AIRLINES, INC., EVERGREEN INTERNATIONAL AIRLINES, INC., FEDERAL EXPRESS CORPORATION, FINE AIRLINES, INC., NORTHWEST AIRLINES, INC., AND POLAR AIR CARGO, INC. FOR EXEMPTIONS OF AUTHORITIES UNDER 49 U.S.C. SECTION 40109 AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION</b></p> <p>The Department confirms the actions described in the Notices of Action Taken, which granted the referenced U. S. air carriers (1) exemptions from the provisions of Section 41101 and where necessary 41504 or as noted in the Notices, other sections of Title 49 U.S.C.; or (2) relief or authorizations as provided for under regulations or orders of the Department, to the applicants to perform the operations described in the Notices of Action Taken; In the conduct of the service, each applicant was to adhere to the conditions set forth in the Appendix, and to any other conditions as noted in the Notices of Action Taken;</p>	2-14-97
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97-2-14	OST-96-1003 OST-97-2042 OST-97-2047 (50100/50101) OST-97-2076 OST-96-2025 OST-96-2018 OST-96-1998 (49346) OST-96-1999 (49345) OST-96-2029 OST-95-877 (50254) OST-97-2052	Continued To the extent not granted, or explicitly deferred as noted in the Notices, these applications are denied and the Department may amend, modify, or revoke this order at any time without hearing. Served 2-21-97	2-14-97
97-2-15	OST-95-764	HONG KONG FIFTH-FREEDOM ALL-CARGO PROCEEDING The Department denies the relief requested by United Parcel Service Co. (UPS) in its petition for reconsideration of Order 96-8-35, which allocated eight frequencies for fifth-freedom all-cargo traffic rights serving the Hong Kong-Manila and Hong-Kong-Subic Bay (Philippines) markets. The Department grants the petition of UPS for reconsideration of Order 96-8-35, but denies the relief requested, and grants the motions of UPS and AMI to file unauthorized documents. Served 2-24-97	2-18-97
97-2-16	OST-96-1592 OST-96-2006 OST-96-2004 OST-96-2005	IN THE MATTER OF U.S.-POLAND THIRD-COUNTRY CODE-SHARE OPPORTUNITIES : APPLICATIONS OF NORTHWEST AIRLINES, INC., UNITED AIR LINES, INC. FOR FREQUENCY ALLOCATIONS: APPLICATION OF DELTA AIR LINES, INC. FOR CODE- SHARE DESIGNATION AND ALLOCATION OF FREQUENCIES The Department (1) designates Delta air Lines, Inc., to serve Warsaw, and allocates it seven weekly frequencies to conduct third-country code-share services in the U.S-Poland market effective April 1, 1997; and (2) allocates Northwest Airlines, Inc., and United Air Lines, Inc., each seven additional Continued.....	2-18-97

Order	Docket	Summary	Date Action Taken
97-2-16	OST-96-1592 OST-96-2006 OST-96-2004 OST-96-2005	Continued..... frequencies effective November 1, 1997 to conduct third-country code-share services in the U.S.-Poland market. Served 2-25-97	2-18-97
97-2-17	Undoc'd	INTERAMERICANA DE AVIACION, C.A. VIOLATIONS OF 49 U.S.C. SECTION 41301 AND 14 CFR PART 212 The Department finds that Interamericana de Aviacion, C.A., violated 49 U.S.C. Section 41301 and 14 CFR Part 212 by engaging in unauthorized wet lease service on behalf of Aero Transcolombiana de Carga, Ltda., between Miami and points in Colombia during the period May to August 1996. The Department orders Interamericana de Aviacion, C.A., to cease and desist from further violations of 49 U.S.C. Section 41301 and 14 CFR Part 212; Interamericana de Aviacion, C.A., is assessed \$60,000 in compromise of civil penalties. Served 2-20-97	2-20-97
97-2-18	OST-96-1965	MIAMI INTERNATIONAL AIRPORT RATES PROCEEDING The Department grants American Airlines' motion to file a 40 page opening brief and a 25 page reply brief with the Decisionmaker. The Joint Carriers may now file a 95 page opening brief and a 50 page reply brief with the Decisonmaker. Served 2-21-97 ORDERS NOT RELEASED AS OF FEBRUARY 21, 1997: 97-2-6	2-21-97